

REMARKS

This paper responds to the Office Action dated August 12, 2004. Claims 1, 6 and 8 are amended, claims 30-33 are added, and claims 5, and 11 are canceled without prejudice or disclaimer; as a result, claims 1-4, 6-10, and 12-33 are now pending in this application.

Claim 6 is merely amended to depend from a currently pending claim.

The amendments to the claims are believed fully supported by the specification as originally filed. No new matter is believed to be introduced.

§102 Rejection of the Claims

Claims 1 and 7 were rejected under 35 U.S.C. § 102(e) as being anticipated by Beat (U.S. 5,959,465). Applicant respectfully traverses the rejection.

Base claim 1 was amended to incorporate subject matter from dependent claim 5. Claim 1 is presently in a form believed to be indicated as allowable by the Examiner. Claim 7 depends on base claim 1 and is believed to be allowable at least for the reasons stated for claim 1. Applicant respectfully requests reconsideration and allowance of claims 1 and 7.

Claims 8, 12, and 14 were rejected under 35 U.S.C. § 102(e) as being anticipated by Noble et al. (U.S. 6,124,729). Applicant respectfully traverses the rejection.

Base claim 8 was amended to incorporate subject matter from dependent claim 11. Claim 8 is presently in a form believed to be indicated as allowable by the Examiner. Claims 12 and 14 depend on base claim 8 and are believed to be allowable at least for the reasons stated for claim 8. Applicant respectfully requests reconsideration and allowance of claims 8, 12, and 14.

Claims 8, 12, 13, 15, 17, 18, 19, and 26 were rejected under 35 U.S.C. § 102(e) as being anticipated by Forbes (U.S. 6,377,070, "Forbes"). Applicant respectfully traverses the rejection.

Applicant respectfully submits that a rejection under 35 U.S.C. § 102(e) is not proper because Forbes is not (1) an application for patent, published under section 122(b), by another, nor (2) a patent granted by on an application for patent by another, as required under § 102(e). Applicant respectfully requests reconsideration and allowance of claims 8, 12, 13, 15, 17, 18, 19, and 26.

§103 Rejection of the Claims

Claims 2, 3, and 4 were rejected under 35 USC § 103(a) as being unpatentable over Beat (U.S. 5,959,465) in view of Bui (U.S. 6,163,049). Applicant respectfully traverses the rejection.

Claims 2, 3, and 4 depend on base claim 1, and are believed to be allowable at least for the reasons stated previously for claim 1. Applicant respectfully requests reconsideration and allowance of claims 2, 3, and 4.

Allowable Subject Matter

Claims 5, 6, 9, 10, 11, 16, 20-25, and 27-29 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant acknowledges the allowable subject matter. Base claim 1 was amended to incorporate subject matter from dependent claim 5, and base claim 8 was amended to incorporate subject matter from dependent claim 11. Claims 5 and 11 are canceled, and base claims 1 and 8 are believed to be in a form indicated as allowable by the Examiner.

The subject matter of claim 9 is rewritten into new independent claim 30.

The subject matter of claim 10 is rewritten into new independent claim 31.

The subject matter of claim 16 is rewritten into new independent claim 33.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LEONARD FORBES

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 349-9587

Date

13 Dec '04

By



Timothy B Clise
Reg. No. 40,957

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13 day of December, 2004.

Name

KACIA LEE

Signature

Kacia Lee